



ATTORNEY DOCKET NO.: 040894-5723

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Yasuhisa SHIMODA et al.

Application No.: 09/961,183

Filed: September 24, 2001

For: INFORMATION RECORD APPARATUS  
INFORMATION RECORD METHOD,  
AND INFORMATION RECORD MEDIUM )

Confirmation No. 7146

Group Art Unit: 2872

Examiner: Unassigned

Commissioner for Patents  
Washington, D.C. 20231

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Accordingly, Applicants do not believe that a fee is due for filing this paper.

The listed documents were cited in an European Search Report dated February 28, 2003 in a counterpart European patent application. A copy of the European Search Report is attached hereto.

Copies of the listed documents are attached.

Applicants request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached PTO Form 1449.

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This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each of all of the listed documents are material or constitute "Prior Art." If it should be determined that any of the listed documents do not constitute "Prior Art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

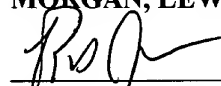
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the document be applied against the claims of the present application.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By:



Robert J. Goodell

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Dated: March 14, 2003

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